

Senate File 341 - Introduced

SENATE FILE 341

BY GUTH

A BILL FOR

1 An Act restricting certain persons regulated by the department
2 of agriculture and land stewardship from moving dogs and
3 cats into this state, and providing for penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 162.2, Code 2015, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 2A. "*Animal foster care*" means a person who
4 operates a private residence that provides a dog or cat with
5 temporary maintenance, including shelter and care, if the dog
6 or cat has been accepted by a person who is an animal rescue
7 or licensed as an animal shelter or pound under this chapter,
8 if that person is authorized by the department to oversee the
9 operations of the private residence.

10 NEW SUBSECTION. 2B. "*Animal rescue*" means a person who is
11 recognized by the department to retain custody of a dog or cat
12 on a temporary basis until doing any of the following:

13 a. Transferring the dog or cat to an animal shelter, pound,
14 or another animal rescue.

15 b. Relinquishing custody of the dog or cat by adoption to
16 a member of the public.

17 NEW SUBSECTION. 7A. "*Certificate of veterinary inspection*"
18 means the same as defined in section 163.2.

19 Sec. 2. NEW SECTION. 162.10 Movement of dogs and cats from
20 outside state.

21 1. A person who is an animal rescue or animal foster care
22 recognized by the department, or a person who is a commercial
23 establishment operating as an animal shelter, dealer, pet
24 store, or pound shall move a dog or cat, or take possession
25 of a dog or cat that has been moved, from a location outside
26 this state to a location inside this state only if all of the
27 following apply:

28 a. The person does not offer the dog or cat for sale in this
29 state during the period when the dog or cat is younger than
30 four months.

31 b. Upon entering into the state, the dog or cat was kept
32 in a secure location approved by the department for at least
33 fourteen days and it was determined according to departmental
34 criteria that the dog or cat is not afflicted with an
35 infectious or contagious disease or parasites.

1 *c.* For a dog that is four months of age or older, the dog
2 has been administered with a rabies vaccine, and all of the
3 following apply:

4 (1) The vaccine is licensed by the United States department
5 of agriculture and approved by the department of agriculture
6 and land stewardship.

7 (2) The vaccination is current.

8 *d.* The dog or cat is accompanied by a certificate of
9 veterinary inspection. The person must retain the certificate
10 for at least two years from the date that the person took
11 possession of the dog or cat. The certificate shall include
12 at least all of the following:

13 (1) A statement that the dog or cat is not afflicted with
14 a contagious or infectious disease or with parasites and the
15 dog or cat has not been exposed to a vertebrate animal that has
16 been so afflicted.

17 (2) A statement that the dog or cat has not been moved from
18 an area that is quarantined for rabies by a governmental entity
19 recognized by the department.

20 (3) A statement that the dog has reacted negatively to a
21 brucellosis test administered within the last thirty days.

22 (4) A record of each vaccine administered to the dog or cat.
23 The record shall do all of the following:

24 (a) Indicate the type of vaccine administered and the date
25 when the vaccine was administered.

26 (b) Provide an identification number that allows the
27 department to determine the place where the vaccine was
28 administered.

29 2. This section does not apply to a person who exercised
30 custody and control over a dog or cat in this state prior
31 to moving the dog or cat outside this state and who did not
32 relinquish custody and control of the dog or cat while outside
33 the state.

34 3. The department may take disciplinary action against a
35 commercial establishment acting in violation of this section

1 as provided in section 162.10D.

2 Sec. 3. Section 162.12A, subsection 1, Code 2015, is amended
3 by adding the following new paragraph:

4 NEW PARAGRAPH. c. Notwithstanding paragraph "a", a person
5 who fails to comply with section 162.10 is subject to a civil
6 penalty of not less than one thousand dollars and not more than
7 five thousand dollars.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill requires that certain persons regulated by the
12 department of agriculture and land stewardship are required
13 to comply with requirements for moving dogs or cats from a
14 location outside this state to a location inside this state.
15 These persons include an animal rescue or animal foster care
16 recognized by the department, or a commercial establishment
17 operating as an animal shelter, dealer, pet store, or pound
18 operating pursuant to an authorization issued by the department
19 such as a certificate of registration, state license, or
20 permit. The bill prohibits a person from moving a dog or
21 cat under four months old into this state for purposes of
22 sale. It requires all of the following: (1) a dog or cat
23 be kept in a secure location to determine if it is afflicted
24 with an infectious or contagious disease or parasites prior
25 to moving in this state, (2) a dog has reacted negatively to
26 a brucellosis test, (3) a dog at least four months of age be
27 administered a current rabies vaccination, and (4) a dog or
28 cat be accompanied by a certificate of veterinary inspection.
29 The bill's restrictions do not apply to persons who exercised
30 custody and control of a dog or cat in this state prior to its
31 movement out of state so long as the person did not relinquish
32 control or custody of the dog or cat during its movement. The
33 bill provides that the department may take disciplinary action
34 against an animal shelter, dealer, pet store, or pound by
35 suspending or revoking its authorization to operate in this

1 state. An animal rescue, animal foster care, animal shelter,
2 dealer, pet store, or pound that fails to comply with the
3 bill's provisions is also subject to a civil penalty of at
4 least \$1,000 and not more than \$5,000.